

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SURAJ KUMAR RAJWANI,
Plaintiff,

v.

B52 MEDIA LLC, et al.,
Defendants.

Case No. [17-cv-06848-VC](#)

ORDER REMANDING CASE

Re: Dkt. No. 13

The plaintiff's motion to remand is granted. Although it is possible that the plaintiff may have engaged in unreasonable litigation tactics in state court, the defendants have not shown that the plaintiff's actions constituted bad faith. *See Heller v. Am. States Ins. Co.*, No. CV 15-9771 DMG (JPRx), 2016 WL 1170891, at *2-3 (C.D. Cal. Mar. 25, 2016). Moreover, the defendants have not shown that they acted diligently in determining whether this case was removable on the basis of diversity jurisdiction within the one-year time frame set forth in the removal statute. 28 U.S.C. § 1446(c)(1); *see Johnson v. Am. Online, Inc.*, 280 F. Supp. 2d 1018, 1027 (N.D. Cal. 2003).

Therefore, the case is remanded to San Francisco County Superior Court.

IT IS SO ORDERED.

Dated: February 9, 2018



VINCE CHHABRIA
United States District Judge